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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,675	02/16/2004	James Say	TS-02-22	7215
30349	7590	09/09/2009		
JACKSON & CO., LLP 6114 LA SALLE AVENUE #507 OAKLAND, CA 94611-2802			EXAMINER LAU, TUNG S	
			ART UNIT 2863	PAPER NUMBER
			NOTIFICATION DATE 09/09/2009	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10783675	2/16/2004	SAY ET AL.	TS-02-22

JACKSON & CO., LLP
6114 LA SALLE AVENUE
#507
OAKLAND, CA 94611-2802

EXAMINER

TUNG S.. LAU

ART UNIT	PAPER
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2863

20090902

DATE MAILED:

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Commissioner for Patents

Applicant response on 07/21/2009 are noted by the examiner, the applicant argue the Requirements for information, to request information on duty of disclosure is not proper (page 2 of remarks) and that the requirement for Information is not proper. The statement requested is not among any of the examples listed in 37 C.F.R. 1.105 or MPEP 704.11(a). While the MPEP may encourage the explanation of the relevance of submitted references, it does not require such an explanation. (page 2 of remarks).

The information the applicant has submitted (again) related to 37 C.F.R. 1.105 (a)(1)(iii) and (a)(1)(viii), (a)(3)(i) (See 37 C.F.R. 1.105), since the applicant purposely state: applicants make no representation with respect to the relevance or materiality of the references on the list as compared to any other reference that has been submitted (remarks page 3). This is non compliance to the Requirements for information issue on 12/02/2008.

Since the reply filed on 07/21/2009 appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to submit an amendment in compliance with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung S. Lau whose telephone number is 571-272-2274. The examiner can normally be reached on M-F 9-5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on 571-272-2312. The fax phone numbers for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Tung S. Lau/
Primary Examiner, Art Unit 2863
September 2, 2009